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5 UNITED STATES DISTRICT COURT  
6 EASTERN DISTRICT OF WASHINGTON

7 UNITED STATES OF AMERICA,

8 Plaintiff,

9 v.

10 TREVER DANIEL HARDER,

11 Defendant.

CASE NO: 2:21-CR-0165-TOR-2

ORDER ACCEPTING GUILTY PLEA  
AND SETTING SENTENCING  
SCHEDULE

12 On June 8, 2022, Trevor Daniel Harder appeared before the Court and  
13 entered a plea of guilty to Count 2 of the Indictment filed on November 16, 2021,  
14 charging him with Child Sex Trafficking, in violation of 18 U.S.C. § 1591(a)(1),  
15 (b)(1). The Defendant was represented by Amy H. Rubin. AUSA David M.  
16 Herzog appeared on behalf of the government.

17 The Court finds that Defendant is fully competent and capable of entering an  
18 informed plea, that the Defendant is aware of the nature of the charges and  
19 consequences of the plea and the plea of guilty is knowing, and voluntary, is not  
20 induced by fear, coercion, or ignorance and is supported by an independent basis in

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SCHEDULE ~ 1

1 fact establishing each of the essential elements of the crime. Therefore, the  
2 Defendant's plea of guilty is accepted. However, the Court reserves on ruling on  
3 the binding nature of the plea agreement until the time of sentencing.

4 **ACCORDINGLY, IT IS HEREBY ORDERED:**

5 1. A sentencing hearing is set for **September 7, 2022, at 1:30 p.m.**, in  
6 Spokane Courtroom 902. Absent truly exigent circumstances, the Court will not  
7 consider a request for a continuance of sentencing unless: (1) the request is made  
8 by written motion, (2) in accordance with LCivR 7, and (3) the motion and  
9 supporting declaration are filed at least seven (7) days before the scheduled  
10 sentencing hearing.

11 2. The Defendant shall remain in the custody of the U.S. Marshal's Service  
12 pursuant to the detention order previously entered in this matter. ECF No. 23. **If a**  
13 **sentence of incarceration is imposed, the Defendant shall remain in the**  
14 **custody of the U.S. Marshal's Service.**

15 3. The United States Probation Office shall prepare a Presentence  
16 Investigation Report (PSIR) pursuant to Fed. R. Crim. P. 32(c).

17 4. Not later than **July 27, 2022**, the probation officer shall disclose the  
18 Presentence Investigation Report to the Defendant, counsel for Defendant, and the  
19 Government. Disclosure of the Presentence Investigation Report shall be subject  
20 to the limitations imposed by Rule 32 of the Federal Rules of Criminal Procedure.

1           5. Not later than **August 10, 2022**, counsel shall communicate in writing to  
2 the probation office (and opposing counsel) any objections they may have as to  
3 legal and factual errors or omissions; sentencing classifications; sentencing  
4 guideline ranges; and policy statements contained in or omitted from the report. If  
5 an objection is filed, the probation officer shall conduct such additional  
6 investigation as is necessary to assess the merits of the objection.

7           6. The probation officer shall submit the final Presentence Investigation  
8 Report to the Court by **August 24, 2022**. The report shall be accompanied by an  
9 addendum setting forth any objections counsel may have made, including those  
10 that have not been resolved, together with the officer's comments and  
11 recommendations thereon.

12           7. Not later than **August 24, 2022**, counsel shall file and serve all motions  
13 and memoranda pertaining to Defendant's sentence, including departures and  
14 variances, and sentencing recommendations. **FAILURE TO FILE AND SERVE**  
15 **SENTENCING MATERIAL, TO INCLUDE MOTIONS OR**  
16 **MEMORANDA FOR UPWARD OR DOWNWARD DEPARTURE AND**  
17 **VARIANCES, BY THIS DATE WILL BE DEEMED A WAIVER OF THE**  
18 **RIGHT TO DO SO.**

19           8. Not later than **August 31, 2022**, the opposing party shall file and serve its  
20 response limited to no more than seven (7) pages.

1           9. If either party intends to call witnesses or proffer exhibits at sentencing,  
2 witness and exhibit lists must be exchanged by the parties and provided to the  
3 Court no later **August 31, 2022**.


4           10. All pending motions are **DENIED as moot** and all pending hearing and  
5 trial dates are stricken from the Court's calendar.

6           11. The District Court Executive is authorized to accept Defendant's \$100  
7 payment which shall be applied to the Special Penalty Assessment.

8           **IT IS SO ORDERED.** The District Court Clerk is hereby directed to enter  
9 this Order and provide copies to counsel, the United States Probation Office, and  
10 the United States Marshal's Service.

11           DATED June 8, 2022.



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14           THOMAS O. RICE  
15           United States District Judge